

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Daryl Wayne Deveaux,)	
)	
Petitioner,)	Civil Action No. 9:17-cv-2656-TLW
v.)	
)	
Sheriff Al Cannon,)	<u>ORDER</u>
)	
Defendant.)	
_____)	

Petitioner Daryl Wayne Deveaux brought this action, *pro se*, pursuant to 28 U.S.C. § 2241 seeking habeas relief. ECF No. 1. On December 21, 2017, Petitioner was advised by Court Order that he must advise the Court in writing of an address change. ECF No. 6. Further, Petitioner was advised that if he missed deadlines as a result of his failure to comply with the Order, this action was subject to dismissal. *Id.*

This matter now comes before the Court for review of the Report and Recommendation, filed on January 16, 2018, by United States Magistrate Judge Bristow Marchant, to whom this case was previously assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2), (D.S.C.). ECF No. 11. The Report recommends that this case be dismissed pursuant to Fed. R. Civ. P. 41. *Id.* The deadline to object to the Report was January 30, 2018. However, Petitioner did not file objections to the Report or otherwise respond.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report and relevant filings. The Court notes that Petitioner has not filed anything in this case since the Petition, filed on October 2, 2017. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report, ECF No. 11, is **ACCEPTED**, and this action is **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b).¹

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

February 28, 2018
Columbia, South Carolina

¹ The Court notes that the Petition was not in proper form as filed on October 2, 2017, ECF No. 1, and that the Proper Form Order, ECF No. 6, instructed Petitioner to bring the case into proper form. However, Petitioner has failed to bring this case into proper form. Failure to bring the case into proper form further supports dismissal of this action.